

# **EXHIBIT B**

Joseph R. Saveri (State Bar No. 130064)  
 Cadio Zirpoli (State Bar No. 179108)  
 Christopher K.L. Young (State Bar No. 318371)  
 Holden Benon (State Bar No. 325847)  
 Aaron Cera (State Bar No. 351163)  
 Margaux Poueymirou (State Bar No. 356000)  
**JOSEPH SAVERI LAW FIRM, LLP**  
 601 California Street, Suite 1505  
 San Francisco, California 94108  
 Telephone: (415) 500-6800  
 Facsimile: (415) 395-9940  
 Email: jsaveri@saverilawfirm.com  
 czirpoli@saverilawfirm.com  
 cyoung@saverilawfirm.com  
 hbenon@saverilawfirm.com  
 acera@saverilawfirm.com  
 mpoueymirou@saverilawfirm.com

Matthew Butterick (State Bar No. 250953)  
 1920 Hillhurst Avenue, 406  
 Los Angeles, CA 90027  
 Telephone: (323) 968-2632  
 Facsimile: (415) 395-9940  
 Email: mb@buttericklaw.com

*Counsel for Individual and Representative  
 Plaintiffs and the Proposed Class*

[Additional counsel on signature page]

Bryan L. Clobes (*pro hac vice*)  
 Alexander J. Sweatman (*pro hac vice*)  
**CAFFERTY CLOBES MERIWETHER  
 & SPRENGEL LLP**  
 135 South LaSalle Street, Suite 3210  
 Chicago, IL 60603  
 Telephone: (312) 782-4880  
 Email: bclobes@caffertyclobes.com  
 asweatman@caffertyclobes.com

David A. Straite (*pro hac vice*)  
**DICELLO LEVITT LLP**  
 4747 Executive Drive, 2nd Floor  
 San Diego, California 92121  
 Telephone: (619) 923-3939  
 Email: dstraite@dicellolevitt.com

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,  
*Individual and Representative Plaintiffs,*  
 v.  
 Meta Platforms, Inc.,  
*Defendant.*

Lead Case No. 3:23-cv-03417-VC  
 Case No. 4:23-cv-06663

**PLAINTIFF SARAH SILVERMAN'S  
 AMENDED RESPONSES TO  
 DEFENDANT META PLATFORMS,  
 INC.'S SECOND SET OF REQUESTS FOR  
 ADMISSION**

**PROPOUNDING PARTIES:** Defendant Meta Platforms, Inc.  
**RESPONDING PARTIES:** Plaintiff Sarah Silverman  
**SET NUMBER:** Two (2)

Plaintiff Sarah Silverman (“Plaintiff”) hereby amends his responses to Defendant Meta Platforms, Inc.’s (“Defendant” or “Meta”) Second Set of Requests for Admissions (the “Requests” or “RFAs”).

### **GENERAL OBJECTIONS**

1. Plaintiff generally objects to Defendant’s definitions and instructions to the extent they purport to require Plaintiff to respond in any way beyond what is required by the Federal and local rules.

2. Plaintiff objects to the Requests to the extent they seek information or materials that are protected from disclosure by attorney-client privilege, the work product doctrine, expert disclosure rules, or other applicable privileges and protections, including communications with Plaintiff’s attorneys regarding the Action.

Discovery in this matter is ongoing and Plaintiff reserves the right to amend, modify, or supplement these responses with subsequently discovered responsive information and to introduce and rely upon any such subsequently discovered information in this litigation.

### **AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL REQUESTS**

#### **REQUEST FOR ADMISSION NO. 18:**

Admit that, other than YOUR contention that LLM developers such as Meta should have compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models, YOU are unaware of any specific licensing opportunity that YOU lost due to the infringement alleged in the COMPLAINT.

#### **RESPONSE TO REQUEST NO. 18:**

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff will construe the terms “You” and “Your” as referring to Plaintiff Sarah Silverman. Plaintiff objects to this Request as

irrelevant to any claim or defense and disproportional to the status and needs of this case. Plaintiff objects to this Request because it is hypothetical and is not tied to the facts of the case. *See, e.g., Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not permit “hypothetical” questions within requests for admission.’”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946 amendment. There is no way for Plaintiff to know what her licensing opportunities would have been but for Meta’s failure to compensate Plaintiff, let alone other LLM developers. **Subject to and without waiving the foregoing objections**, Plaintiff responds that after a reasonable inquiry, the information known or that can be readily obtained by her is insufficient to enable her to admit or deny.

#### **AMENDED RESPONSE TO REQUEST NO. 18:**

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff will construe the terms “You” and “Your” as referring to Plaintiff Christopher Golden. Plaintiff objects to this Request as irrelevant to any claim or defense and disproportional to the status and needs of this case. Plaintiff objects to this Request because it is hypothetical and is not tied to the facts of the case. *See, e.g., Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7, 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not permit “hypothetical” questions within requests for admission.’”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request “asking Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946 amendment. There is no way for Plaintiff to know what his licensing opportunities would have been but for Meta’s failure to compensate, let alone other LLM developers. **Subject to and without waiving the foregoing objections**, Plaintiff responds, admit.

#### **REQUEST FOR ADMISSION NO. 19:**

Admit that, other than YOUR contention that LLM developers such as Meta should have

1 compensated YOU to allegedly use YOUR ASSERTED WORKS to train large language models, YOU  
 2 are unaware of any documentary evidence that YOU lost a specific licensing opportunity due to the  
 3 infringement alleged in the COMPLAINT.

4 **RESPONSE TO REQUEST NO. 19:**

5 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 6 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 7 includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff will construe the  
 8 terms “You” and “Your” as referring to Plaintiff Sarah Silverman. Plaintiff objects to the phrase,  
 9 “other than YOUR contention that LLM developers such as Meta should have compensated YOU to  
 10 allegedly use” as irrelevant and unintelligible. Plaintiff also objects to the term “documentary  
 11 evidence” as being vague and overbroad because it is not limited to the specific claims and defenses  
 12 raised in this dispute. Plaintiff further objects to this Request because it is hypothetical and is not tied to  
 13 the facts of the case. *See, e.g., Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7,  
 14 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not permit  
 15 “hypothetical” questions within requests for admission.’”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL  
 16 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request “asking Plaintiff to admit to infringement in the  
 17 context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946  
 18 amendment. There is no way for Plaintiff to know what her licensing opportunities would have been but  
 19 for Meta’s failure to compensate, let alone other LLM developers. **Subject to and without waiving the**  
 20 **foregoing objections**, Plaintiff responds that after a reasonable inquiry, the information known or that  
 21 can be readily obtained by her is insufficient to enable her to admit or deny.

22 **AMENDED RESPONSE TO REQUEST NO. 19:**

23 Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for  
 24 discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it  
 25 includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff will construe the  
 26 terms “You” and “Your” as referring to Plaintiff Christopher Golden. Plaintiff objects to the phrase,  
 27 “other than YOUR contention that LLM developers such as Meta should have compensated YOU to  
 28 allegedly use” as irrelevant and unintelligible. Plaintiff also objects to the term “documentary

1 evidence” as being vague and overbroad because it is not limited to the specific claims and defenses  
2 raised in this dispute. Plaintiff further objects to this Request because it is hypothetical and is not tied to  
3 the facts of the case. *See, e.g., Buchanan v. Chi. Transit Auth.*, 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7,  
4 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not permit  
5 “hypothetical” questions within requests for admission.’”); *Fulhorst v. Un. Techs. Auto., Inc.*, 1997 WL  
6 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request “asking Plaintiff to admit to infringement in the  
7 context of the hypothetical use of its device”); Fed. R. Civ. P. 36 advisory committee’s note to 1946  
8 amendment. There is no way for Plaintiff to know what his licensing opportunities would have been but  
9 for Meta’s failure to compensate, let alone other LLM developers. Subject to and without waiving the  
10 foregoing objections, Plaintiff admits in part and denies in part. Plaintiffs do not possess such  
11 documents and will rely on documents produced by Meta and third parties.

1 Dated: September 19, 2024

By: /s/ Joseph R. Saveri  
Joseph R. Saveri

2  
3 Joseph R. Saveri (State Bar No. 130064)  
Cadio Zirpoli (State Bar No. 179108)  
4 Christopher K.L. Young (State Bar No. 318371)  
Holden Benon (State Bar No. 325847)  
5 Aaron Cera (State Bar No. 351163)  
Margaux Poueymirou (State Bar No. 356000)  
6 **JOSEPH SAVERI LAW FIRM, LLP**  
601 California Street, Suite 1505  
7 San Francisco, California 94108  
Telephone: (415) 500-6800  
8 Facsimile: (415) 395-9940  
Email: jsaveri@saverilawfirm.com  
9 czirpoli@saverilawfirm.com  
cyoung@saverilawfirm.com  
10 hbenon@saverilawfirm.com  
acera@saverilawfirm.com  
11 mpoueymirou@saverilawfirm.com

12 Matthew Butterick (State Bar No. 250953)  
1920 Hillhurst Avenue, 406  
13 Los Angeles, CA 90027  
Telephone: (323)968-2632  
14 Facsimile: (415) 395-9940  
15 Email: mb@buttericklaw.com

16 Bryan L. Clobes (pro hac vice)  
Alexander J. Sweatman (*pro hac vice anticipated*)  
17 **CAFFERTY CLOBES MERIWETHER**  
**& SPRENGEL LLP**  
18 135 South LaSalle Street, Suite 3210  
Chicago, IL 60603  
19 Telephone: (312) 782-4880  
20 Email: bclobes@caffertyclobes.com  
asweatman@caffertyclobes.com

21 Daniel J. Muller (State Bar No. 193396)  
**VENTURA HERSEY & MULLER, LLP**  
22 1506 Hamilton Avenue  
San Jose, California 95125  
23 Telephone: (408) 512-3022  
24 Facsimile: (408) 512-3023  
Email: dmuller@venturahersey.com  
25  
26  
27  
28

Seth Haines  
Timothy Hutchinson  
Lisa Geary  
**RMP, LLP**  
5519 Hackett Street, Suite 300  
Springdale, Arkansas 72762  
Telephone: (479) 443-2705  
Email: shaines@rmp.law  
thutchinson@rmp.law  
lgeary@rmp.law

David A. Straite (*pro hac vice*)  
**DICELLO LEVITT LLP**  
475 Lexington Avenue, Suite 1001  
New York, NY 10017  
Telephone: (646) 933-1000  
Email: dstraite@dicellolevitt.com

Scott Poynter\*  
**POYNTER LAW GROUP**  
407 President Clinton Avenue, Suite 201  
Little Rock, Arkansas 72201  
Telephone: (501) 812-3943  
Email: scott@poynterlawgroup.com

Brian O'Mara  
**DICELLO LEVITT LLP**  
4747 Executive Drive, Second Floor  
San Diego, California 92121  
Telephone: (619) 923-3939  
Email: bomara@dicellolevitt.com

Adam J. Levitt  
Amy E. Keller  
Nada Djordjevic (*pro hac vice*)  
James A. Ulwick  
**DICELLO LEVITT LLP**  
Ten North Dearborn Street, Sixth Floor  
Chicago, Illinois 60602  
Telephone: (312) 214-7900  
Email: alevitt@dicellolevitt.com  
akeller@dicellolevitt.com  
ndjordjevic@dicellolevitt.com  
julwick@dicellolevitt.com

*Counsel for Individual and Representative Plaintiffs  
and the Proposed Class*



**CERTIFICATE OF SERVICE**

I, the undersigned, am employed by the Joseph Saveri Law Firm, LLP. My business address is 601 California Street, Suite 1505, San Francisco, California 94108. I am over the age of eighteen and not a party to this action.

On September 19, 2024, I caused the following documents to be served by email upon the parties listed on the attached Service List:

- **PLAINTIFF SARAH SILVERMAN'S AMENDED RESPONSES TO DEFENDANT META PLATFORMS, INC.'S SECOND SET OF REQUESTS FOR ADMISSION**

I declare under penalty of perjury that the foregoing is true and correct. Executed September 19, 2024, at San Francisco, California.

By: *Rya Fishman*  
Rya Fishman

**SERVICE LIST**

Bobby A. Ghajar  
Colette Ani Ghazarian

**COOLEY LLP**

1333 2nd Street, Suite 400  
Santa Monica, CA 90401  
Email: bghajar@cooley.com  
cghazarian@cooley.com

Kathleen R. Hartnett

**COOLEY LLP**

3 Embarcadero Center, 20th Floor  
San Francisco, CA 94111-4004  
Email: khartnett@cooley.com

Judd D. Lauter

Elizabeth Lee Stameshkin

**COOLEY LLP**

3175 Hanover Street  
Palo Alto, CA 94304  
Email: jlauter@cooley.com  
lstameshkin@cooley.com

Mark Alan Lemley

**LEX LUMINA PLLC**

745 Fifth Avenue, Suite 500  
New York, NY 10151  
Email: mlemley@lex-lumina.com

Angela L. Dunning

**CLEARY GOTTlieb STEEN &  
HAMILTON LLP**

1841 Page Mill Road  
Palo Alto, CA 94304-1254  
Email: adunning@cgsh.com

*Counsel for Defendant  
Meta Platforms, Inc.*